

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
YUSEF A. HARRIS, ISHMAEL C. :
HARRIS, GREGORY S. HARRIS, and :
ORAL R. SINCLAR, :
: 23-CV-6344 (VSB)
Plaintiffs, :
: **ORDER**
-against- :
: THE CITY OF NEW YORK *et al.*, :
: Defendants. :
:
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VERNON S. BRODERICK, United States District Judge:

On January 5, 2024, Plaintiffs filed a letter seeking leave to amend their complaint under Rule 15 of the Federal Rules of Civil Procedure. (Doc. 11.) On January 17, 2024, I denied Plaintiffs' request to the extent that the amended complaint sought to assert claims on behalf of the Harris Brothers. (Doc. 14.) However, because it was unclear if Plaintiffs also sought to assert claims on behalf of themselves, I directed Plaintiffs to file a letter, by February 12, 2024, explaining whether they intended to do so. (*Id.*) To date, Plaintiffs have not filed such a letter. In fact, the Clerk's Office attempt to mail my January 17 Order failed as to three of the four Plaintiffs. Because the operative complaint brings claims only on behalf of the Harris Brothers—which cannot be brought pro se, (Doc. 4)—Plaintiffs are directed to submit a letter, by March 7, 2024, explaining whether they intend to file a claim on behalf of themselves.

Failure to comply with this Order will result in dismissal of the case under Federal Rule of Civil Procedure 41(b). *See, e.g., Smith v. Dinoia*, No. 19-cv-4471, 2020 WL 4041449, at *1–2 (S.D.N.Y. July 7, 2020) (dismissing for failure to prosecute where plaintiff was unresponsive

despite warnings that case could be dismissed for failure to prosecute). The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiffs at their last known addresses.

SO ORDERED.

Dated: February 16, 2024
New York, New York


VERNON S. BRODERICK
United States District Judge